

ORIGINALDecision No. 39574

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA.

Application of DON DIEGO CHARTER BUS, INC.,)
 a California Corporation, for a certificate)
 of public convenience and necessity to) Application No. 39574
 operate passenger stage service between)
 San Diego and Disneyland; and to establish)
 fares)

Gilbert Harelson and William F. Davies for applicant.

Gerald H. Trautman and John D. Maata for Western
 Greyhound Lines, protestant.

Wyman C. Knapp for Tanner Motor Tours, Ltd.,
 interested party.

Wm. F. Hibbard, for the Commission's staff.

O P I N I O N

Don Diego Charter Bus, Inc., is a California corporation engaged in the charter business in San Diego, La Mesa and vicinity. By this application it seeks a certificate of public convenience and necessity authorizing it to operate a bus service between San Diego and Disneyland, situated in Orange County.

Western Greyhound Lines having a certificate which authorizes it to render service between said points, has protested the granting of the application.

A public hearing was held in San Diego before Examiner Mark V. Chiesa. Oral and documentary evidence having been adduced, the matter was submitted for decision.

The evidence shows and we find the facts to be as herein set forth.

Applicant proposes to operate from 6875 El Cajon Boulevard (U.S. Highway 80) to Disneyland, leaving at 8:30 a.m., arriving at Disneyland at approximately 11:00 a.m.; returning at 7:00 p.m. and arriving in San Diego at approximately 9:30 p.m. The service would be performed for a minimum of eight adult round-trip fares of \$5.36, plus tax, or children's fares of \$2.68, plus tax. Applicant's vice-president testified that the company has eight pieces of equipment available for this service if necessary. No drivers are now employed on a full-time basis. A daily service, if required, is proposed between June 20 and September 1, and on Saturdays, Sundays, and school holidays between September 2 and July 19 each year. Said witness estimated applicant's cost per bus mile to be approximately 25 cents and round-trip miles approximately 210. He estimated a demand for at least one trip per week. Based on said figures, eight adult fares would not pay expenses.

Applicant's financial condition as of November 1, 1957 shows total tangible assets of \$49,063.99 and total liabilities of \$41,218.17, or a net worth of \$7,845.49, represented by capital stock outstanding of \$10,000 and deficit of \$2,154.51. From July 1 to October 31, 1957 the corporation operated at a loss of \$2,154.51.

Applicant called two witnesses to testify in support of its application. One was an officer of a company who in the past has hired applicant's charter service for parties composed of members of "Fed-Mart", a discount house. The other witness,

operator of a travel agency in San Diego, testified that she received as many as thirty inquiries per week in summer concerning means of transportation to Disneyland. This witness did not know about protestant's service.

Protestant's regional manager testified that his company now has three different types of services between San Diego and Disneyland; the regular scheduled service between San Diego and Santa Ana which requires a transfer to the Metropolitan Transit Authority bus operating between Santa Ana and Disneyland; an "On Call" service, operated for 25 or more passengers, in conjunction with its regular service; and its "Special Operations" service for a minimum of 32 passengers. The latter is a direct service between San Diego and Disneyland for an adult round-trip fare of \$4.55, plus tax. It was testified that for the year 1957 only 15 "Special" trips were made from San Diego to Disneyland. The net revenue from said 15 trips amounted to \$292.43. Evidence was presented by protestant showing that the number of passengers required to "break even" on a round trip between San Diego and Disneyland is $19\frac{1}{2}$ adults, taking into consideration an operating cost of 43 cents per mile and a round-trip distance of 200 miles. Protestant had no requests for its "On Call" service in 1957.

The Commission having considered the evidence of record is unable to find that there is sufficient public need for an additional bus service between San Diego and Disneyland. It further appears that although protestant has advertised its services it has not been able to generate a substantial amount of Disneyland business on an individual fare basis.

The record does not show that the proposed transportation service is justified.

Applicant having failed to substantiate its contention that public convenience and necessity require the proposed service, the application will be denied.

O R D E R

Public hearing having been held in the above-entitled matter, the Commission being fully advised in the premises and being unable to find that public convenience and necessity require the establishment and operation of a passenger stage service as proposed,

IT IS ORDERED that Application No. 39574 of Don Diego Charter Bus, Inc., a corporation, be, and it hereby is denied.

The effective date of this order shall be twenty days after the date hereof.

Dated at San Francisco, California,
this 9th day of April, 1958.

Robert E. McKell
President

Miss [Signature]

E. Lynn Fox

Theodore J. Jenner
Commissioners

Commissioner Ray E. Untereiner being necessarily absent, did not participate in the disposition of this proceeding.